

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ERIC VALENCIA,

Plaintiff,

v.

VILLALOBOS and SGT. B. MENDOZA,

Defendants.

Case No. 1:25-cv-00097-HBK (PC)

ORDER DENYING PLAINTIFF'S
REQUESTS FOR DECLARATORY RELIEF

(Doc. No. 14)

Plaintiff Eric Valencia is a pretrial detainee proceeding pro se and *in forma pauperis* on his complaint filed under 42 U.S.C. § 1983. (Doc. No. 1, "Complaint"). Pursuant to 28 U.S.C. § 1915(b)(21)(A), (B), on February 6, 2025, the Court granted Plaintiff's motion to proceed *in forma pauperis*, assessed the full \$350.00 filing fee, directed officials to pay an initial filing fee of \$32.00 based on the six-month deposits into Plaintiff's inmate trust fund account, and to pay 20% of any future income deposited into Plaintiff's inmate account until the full \$350.00 filing was paid. (Doc. No. 6). Plaintiff proceeds on his Complaint on his First Amendment retaliation claim against Officer Villalobos and supervisory liability claim against Sgt. Mendoza. (Doc. Nos. 7-9). The Court directed service on Defendants Villalobos and Mendoza but responses to Complaint are not yet due. (Doc. No. 12).¹ On April 30, 2025, Plaintiff filed a request for declaratory relief

¹ As of the date of this Order, only Defendant Mendoza has waived service and his response to the Complaint is due May 27, 2025. (Doc. No. 12).

1 alleging a violation of his right of access to the courts and improper deductions from his inmate
2 account. (Doc. No. 14, “Motion”). More particularly, Plaintiff complains of various deficiencies
3 with the jail’s legal resources, copies and envelopes and complains that “Defendants” exceeded
4 the Court’s order and deducted 100% of the filing fee. The Court denies Plaintiff’s request for
5 declaratory relief the following reasons.

6 First, Plaintiff generally asserted that his First Amendment right of access to the courts are
7 being denied. However, to the extent Plaintiff believes he is being denied such access, these
8 allegations constitute new claims that must be properly raised in a separately filed complaint
9 rather than through the instant motion. Moreover, a generic claim of a denial access to the courts
10 is insufficient. The Supreme Court held that prison authorities have an affirmative obligation to
11 “assist inmates in the preparation and filing of meaningful legal papers by providing inmates
12 with adequate law libraries or adequate assistance from persons trained in the law.” *Bounds v.*
13 *Smith*, 430 U.S. 817, 824-25 (1977), *abrogated in part*, *Lewis v. Casey*, 518 U.S. 343 (1996).
14 Indigent inmates must also be provided at state expense with paper, pens, notarial services and
15 stamps to mail legal documents. *Id.* However, this right is subject to various restrictions. An
16 inmate alleging a *Bounds* violation must show: (1) his access is being “frustrated” or “impeded”
17 and he was, or is, suffering an “actual injury”; (2) the claim he is bringing is a non-frivolous
18 claim; and (3) the claim must involve his criminal conviction or sentence or the conditions of his
19 confinement., i.e. claims involving direct criminal appeals, petitions for writs of *habeas corpus*,
20 and civil rights actions brought under section 1983 to vindicate basic constitutional rights. *Lewis*
21 *v. Casey*, 518 U.S. 343, 351-53 (1996). “Impairment of any other litigating capacity is simply
22 one of the incidental (and perfectly constitutional) consequences of conviction and incarceration.”
23 *Id.* at 355 (emphasis omitted).

24 Plaintiff is not currently subject to a court-imposed deadline in this case, nor has he
25 alleged any actual harm in connection with this case. To the extent that Plaintiff maintains that
26 the prison resources are deficient such that it is infringing on his First Amendment access to
27 courts rights in either this case or another case, he must file a new complaint after he has
28 exhausted his administrative remedies on that new claim. Accordingly, his request for

1 unspecified declaratory relief based on denial of access to the courts is denied.

2 Second, Plaintiff challenges the withdrawal of full filing fee from his inmate account,
3 asserting that the deduction made by “Defendants” exceeded the Court’s February 6, 2025 Order.
4 The Court confirms that the full filing fee was paid in this case on April 21, 2025. However,
5 Defendants did not withdraw these funds—the correctional facility did. Further, it is unclear
6 whether Plaintiff received additional deposits in February, March and April to account for the
7 additional deductions. To the extent Plaintiff seeks reimbursement for any improperly withdrawn
8 funds, he must pursue available administrative remedies within the correctional facility before
9 seeking judicial relief. *See Booth v. Churner*, 532 U.S. 731, 734 (2001) (requiring exhaustion of
10 administrative remedies under the Prison Litigation Reform Act).

11 Accordingly, it is **ORDERED**:

- 12 1. Plaintiff’s Request for Declaratory Relief (Doc. No. 14) is DENIED.
- 13 2. Plaintiff is directed to seek reimbursement through the administrative process for any
14 alleged improper deductions from his inmate account within the correctional facility.

15
16 Dated: May 6, 2025


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE